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5 Counsel for Defendant CAVAN

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

| | | |
|------------------------------|---|-------------------------------------|
| 11 UNITED STATES OF AMERICA, |) | No. CR-05-0752 JCS |
| |) | |
| 12 Plaintiff, |) | STIPULATION AND PROPOSED |
| |) | ORDER TO EXCLUDE TIME UNDER THE |
| 13 v. |) | SPEEDY TRIAL ACT |
| |) | |
| 14 WILLIAM CAVAN, |) | |
| |) | |
| 15 Defendant. |) | |
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17 On January 25, 2006, the parties appeared before this Court for trial setting. Defense
18 counsel indicated that further investigation and discovery is necessary to prepare effectively for
19 trial. The Court set the matter for trial on March 21, 2006. At the request of defense counsel, the
20 Court found that an exclusion of time under the Speedy Trial Act is appropriate for the period
21 from January 25, 2006 through March 21, 2006 to provide for the effective preparation of
22 counsel. The Court instructed counsel to prepare a stipulation and proposed order memorializing
23 the exclusion.

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26 CR 05-0752 JCS; STIP. & ~~PROPOSED~~ ORDER
EXCLUDING TIME UNDER SPEEDY TRIAL
ACT

1 The parties agree and stipulate that the requested exclusion is appropriate to facilitate
2 counsel's effective preparation.

3 IT SO STIPULATED.

4 BARRY J. PORTMAN
Federal Public Defender

6 Dated: 1/25/06

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7 JOSH COHEN
Assistant Federal Public Defender

8 KEVIN V. RYAN
United States Attorney

10 Dated:

9
11 SCOTT MAZZOLA
Law Clerk
12 DEREK OWENS
Special Assistant United States Attorney

14 ORDER

15 Accordingly, the Court hereby ORDERS that the time from January 25, 2006 through
16 March 21, 2006 shall be excluded under the Speedy Trial Act. The Court finds that the failure to,
17 grant the requested continuance would deny the defendant effective preparation of counsel. *See*
18 18 U.S.C. § 3161(h)(8)(B)(iv). The Court further finds that the ends of justice served by granting
19 the requested continuance outweigh the best interests of the public and the defendant in a speedy
20 trial and in the prompt disposition of criminal cases. *See id.* § 3161(h)(8)(A).

21 IT IS SO ORDERED.

22 Dated: January 25, 2006

23 JOSEPH C. SPERO
UNITED STATES MAGISTRATE JUDGE